

Title: Use of Parole Board Violation Response Guideline Matrix

Policy: The Parole Board will respond in a systematic, organized, and proportionate manner to the severity of parole violation that supports the integration of a parolee in the community while first considering public safety.

Purpose: The guideline in this document is only intended to assist Parole Board Members in responding to parole violations that a parolee has been found guilty of through a due process hearing. This guideline is not intended to substitute for professional judgment or to be inclusive to all factors considered in deciding an appropriate response to parole violations. Parole Board Members may deviate from this guideline. This guideline does not establish any rights or expectation for a parolee. This guideline will assist in determining a response to parole violations that is consistent with the mission and vision of the Parole Board.

Procedures:

1. Using the Parole Board Violation Response Guideline Matrix Index, use the highest level violation to determine if it is a “Low,” “Moderate,” or “High” level violation.
 - a. If the violation being considered is not listed, the panel will use its best judgment to determine the appropriate severity level after considering how the violation affects public safety.
 - b. If the panel can’t agree on the severity level, they will include another commissioner in the discussion—majority vote will decide.
2. Determine if the parolee is a “Level 1” or “Level 2” offender type
 - a. “Level 1” offender is defined as a parolee who is being supervised for a nonviolent offense and does not have a history of any violent convictions. For the purposes of this policy, use the NDOC Offense Severity Table to determine if a conviction is considered violent or not.
 - b. “Level 2” offender is defined as a parolee who is being supervised for a violent offense; or has been convicted of a violent offense; or considered a 3-Panel case (NRS 213.133); or been convicted of a sex offense listed in NRS 213.1214 and not considered a 3-Panel case; or any sex offense listed in NDOC Offense Severity Table not covered in NRS 213.133 and NRS 213.1214.
 - c. For the purposes of this procedure, an enhancement to a crime is to be treated the same as the primary offense type.
3. Determine the Parole and Probation risk level located on the Parole Violation Report which will be identified as “Minimum,” “Medium,” or “Maximum/Intensive.”
4. Using the Parole Board Violation Response Guideline Matrix determine, the “General Response Level.”
 - a. Refer to the Parole Board Violation Response Guideline Matrix Index to determine suggested responses.
 - i. Responses in each of the categories are only examples and not meant to be an exhaustive list of alternatives.
 - ii. Parole Board Members may respond outside of the general guidelines.

Additional factors to consider in responding to parole violations:

1. The time that a parolee has already been in custody
2. The parolees support in community
3. Programming available in the community
4. Employment in the community
5. Parolee's willingness to cooperate with supervision
6. Engaged in a pattern of behavior similar to that which resulted in his/her imprisonment
7. Demonstrated an unwillingness to conform to the expectations and requirements of parole
8. Engaged in conduct suggests he/she could be a danger to public safety and treatment in a controlled environment is advisable
9. If confinement is advisable to address substance abuse issues.